ANN BAVENDER* ANNE GOODWIN CRUMP VINCENT J. CURTIS JR. RICHARD J. ESTEVEZ PAUL J. FELDMAN ROBERT N. FELGAR* RICHARD HILDRETH FRANK R. JAZZO ANDREW S. KERSTING EUGENE M. LAWSON, JR. HARRY C. MARTIN GEORGE PETRUTSAS RAYMOND J. QUIANZON LEONARD R. RAISH JAMES P. RILEY KATHLEEN VICTORY HOWARD M. WEISS

NOT ADMITTED IN VIRGINIA

FLETCHER, HEALD & HILDRETH, P.L.C.

ATTORNEYS AT LAW

11th FLOOR, 1300 NORTH 17th STREET ARLINGTON, VIRGINIA 22209-3801

(703) 812-0400

TELECOPIER

(703) 812-0486

INTERNET

www.fhh-telcomlaw.com

FRANK U. FLETCHER (1939-1985) ROBERT L. HEALD /1956.1983\ PAUL D.P. SPEARMAN (1936-1962) FRANK ROBERSON (1936-1961) RUSSELL ROWELL (1948-1977)

EDWARD F. KENEHAN (1960-1978)

CONSULTANT FOR INTERNATIONAL AND INTERGOVERNMENTAL AFFAIRS SHELDON J. KRYS U.S. AMBASSADOR (mt.)

> OF COLUMNS EDWARD A. CAINE* MITCHELL LAZARUS* EDWARD S. O'NEILL' JOHN JOSEPH SMITH

(703) 812-0429 petrusa@fhh-telcomlaw.com

January 14, 1999

RECEIVED

Magalie Salas, Esquire Secretary **Federal Communications Commission** 1919 M Street, N.W. - Room 222 Washington, D.C. 20554

JAN 14 1999

FEDERAL COMMUNICATIONS COMMISSION OFFICE OF THE SECREDARY

Re:

Norcom Communications, Corp. et. al

WTB Docket No. 98-181

Dear Ms. Salas:

On behalf of the Association for East End Land Mobile Coverage, we are filing an original and six copies of its Responses to the Wireless Telecommunications Bureau Request for Admission of Fact.

Please communicate with us if additional information is required.

Very truly yours,

FLETCHER_HEALD & HILDRETH, PLC

Counsel for

The Association for East End

Land Mobile Coverage

GP:cei **Enclosures**

cc: See Certificate of Service

No. of Copies rec'd_ List ABCDE

BEFORE THE

Federal Communications Commission

WASHINGTON, D.C. 20554

in the	e Matters of)	
Ass'r LMR	om Communications Corporation) on for East End Land Mobile Coverage) 900 Association of Suffolk) on NY LMR Association)	WTB Docket No. 98-181
NY LMR Association) Wireless Comm. Association of Suffolk County)		RECEIVED
To:	Chief, Wireless Telecommunications Burea	u JAN 14 1999
		FEDERAL COMMUNICATIONS COMMISSION OFFICE OF THE SECRETARY

RESPONSES OF THE ASSOCIATION FOR EAST END LAND MOBILE COVERAGE TO THE WIRELESS TELECOMMUNICATIONS BUREAU'S REQUEST FOR ADMISSION

Timothy J. Mangan, Executive Officer of the Association for East End Land

Mobile Coverage ("East End") hereby responds under affirmation to the Wireless

Telecommunications Bureau's Request for Admissions of Fact in the above-referenced proceeding.

- 1. Admit
- 2. Deny. Norcom advanced some funds for the start-up of East End.
- 3. Deny. See response to No. 2 above.
- 4. Deny. Norcom advanced funds to the Association for the payment of legal fees.
- 5. Deny. Norcom advanced funds for the payment of legal fees
- Nos. 6, 7 See responses to Nos. 2, 3, 4, and 5.
- 8. Neither Admit nor Deny. East End has a number of users of its facilities that have attributes of membership.

9. Neither Admit nor Deny. The Association was formed for the purpose of providing radio communications service to any eligible user on a non-profit basis. At that time, several companies had expressed interest in becoming users of the planned station.

Items 10 through 21.

Object: Although Respondent admits that Mr. Nopper, along with others, participated in the activities described in items 1- through 21, Respondent had no way of knowing whether Mr. Nopper participated in his individual capacity or as principal of Norcom.

- 22. Admit
- 23. Admit
- 24. See response to No. 23
- 25. Admit
- 26. Neither admit nor deny. Do not have sufficient personal knowledge to either admit or deny.
- 27 & 28 See response to No. 26.
- 29. Admit
- 30. Admit
- 31. Neither admit nor deny. I have no knowledge concerning Norcom's use of accountants, attorneys or engineers.

- 32. Deny. However, Norcom probably uses its office equipment in performing its duties under the management agreement with East End.
- 33. See response to No. 32.
- 34. Have no facts on which to deny or admit. Under the management agreement,

 Norcom makes the facilities of the Station available to eligible entities for use on
 a non-profit basis.
- 35. Admit
- 36. Deny. Under the management agreement, Norcom makes the facilities of the Station available to eligible users on a non-profit basis. Selling air time on a for profit basis would be in violation of the management agreement.
- 37. Deny. Norcom conducts the day-to-day operation of the station only pursuant to the management agreement and under the overall control of the Association.
- 38. Deny. Norcom may not use the facilities for its own purposes, except for the purpose of discharging its duties under the management agreement.
- 39. Deny. Only to the extent appropriate to provide the services required by the management agreement, and under the supervision of the Association.
- 40. Deny
- 41. Deny. Norcom pays Association expenses as required by the management agreement.
- 42. Deny. Norcom has paid some of the expenses on behalf of East End pursuant to the management agreement.

- 43. Deny. There have been no profits from the operation of the Associations'
 Station. Norcom has collected from users the monthly pro-rata charges for the use of the Station.
- 44. Deny. Norcom has collected user contributions and has applied the funds collected toward reimbursing Norcom for funds advanced to the Association.

Respectfully submitted,

Timothy J. Mangan

Executive Officer

The Association for East End Land Mobile

Coverage

Date: 12/12/98

CERTIFICATE OF SERVICE

I, Chellestine Johnson, a secretary in the law firm of Fletcher, Heald & Hildreth, P.L.C. do hereby certify that true copies of the foregoing Responses of the Association for East End Land Mobile Coverage to the Wireless Telecommunications Bureau's Request for Admission were sent this 14th day of January, 1999, by first-class United States mail, postage prepaid, to the following:

Honorable John M. Frysiak*
Administrative Law Judge
445 Twelfth Street, S.W.
Room 1C861
Federal Communications Commission
Washington, D.C. 20554

Judy Lancaster, Esq.*
Thomas Fitzgibbon*
Federal Communications Commission
Wireless Telecommunications Bureau
2025 M Street, N.W. - Room 8308
Washington, D.C. 20554
Counsel for Wireless Telecommunications Bureau

Russell H. Fox
Russ Taylor
Gardner, Carton & Douglas
1301 K Street, N.W.
Suite 900, East Tower
Washington, D.C. 20005
Counsel for Norcom Communications Corporation

Chellestine Johnson

***VIA HAND DELIVERY**